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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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ESPRESSO REPUBLIC, LLC, a
California limited liability company,

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Plaintiff,

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v.

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NUBRU COFFEE, PBC, a Colorado
public benefit corporation,

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Defendant.

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) Civil Case No. 16-cv-00674-SVW-SP

) **JUDGMENT AND**
) **PERMANENT INJUNCTION**

) **JS-6**

1 IT IS HEREBY ORDERED AND ADJUDGED AS TO NUBRU COFFEE,
2 PBC:

3 1. This is an action for trademark infringement (15 U.S.C. §1114), false
4 designation of origin (15 U.S.C. §1125) and unfair competition (Cal. Bus. & Prof.
5 Code §17200) as well as common law trademark infringement and unfair
6 competition.

7 2. With respect to the Lanham Act claims, this Court has original and/or
8 exclusive subject matter jurisdiction over the claims of this action under 28 U.S.C.
9 §§1331 and 1338(a) and (b). The Court has supplemental jurisdiction with respect
10 to the California Business and Professions Code based claim pursuant to 28 U.S.C.
11 § 1367(a). This Court has personal jurisdiction over the defendant NuBru Coffee,
12 PBC (hereinafter “NuBru”) as defendant is/was doing business in the state and the
13 acts of infringement have occurred in the state.

14 3. Venue is proper in this Court pursuant to 28 U.S.C. §1391(b)-(c) and
15 1400(b). The acts of infringement and unfair competition have occurred in this
16 district.

17 4. Plaintiff Espresso Republic, LLC (hereinafter “Espresso Republic”) is
18 the owner of all right, title and interest in and to U.S. Trademark Registration Nos.
19 4,640,577 and 4,317,928 (hereinafter “the ER trademarks.”)

20 5. The ER trademarks are valid, inherently distinct and enforceable. The
21 ER trademarks have acquired substantial goodwill with the consuming public.

22 6. NuBru made, used, sold and offered for sale goods that infringed the
23 ER trademarks as alleged in Espresso Republic’s complaint filed April 11, 2016.

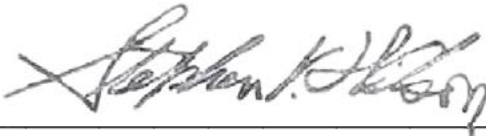
24 7. Espresso Republic is irreparably harmed by, and has no adequate
25 remedy at law for NuBru’s infringement and is entitled to a permanent injunction.
26 The balance of hardships regarding an injunction weighs in Espresso Republic’s
27 favor and the public interest does not preclude entry of a permanent injunction in
28 this case.

8. Effective as of the date, Judgment is entered by the Court, defendant NuBru, its officers, agents, representatives, subsidiaries, directors, principals, successors, assigns, servants, employees, and attorneys, and all persons in active concert or participation with any of them, are hereby permanently enjoined from infringing plaintiff's ER trademarks; and conspiring, encouraging, inducing, allowing, abetting, or assisting others in infringing plaintiff's ER trademarks. This shall include, but not be limited to, the use of the below marks or anything confusingly similar thereto:



IT IS SO ORDERED.

Dated: January 20, 2017


 U.S. District Judge Stephen M. Wilson